

**UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION**

In Re:) **18-14975**
)
THERESA MANNEY,) **Chapter 13**
)
Debtor.) **Hon. Judge: CLEARY**

NOTICE OF MOTION

To the following persons or entities who have been served via electronic mail:
U.S. Bankruptcy Trustee: USTPRegion11.ES.ECF@usdoj.gov
Marilyn O. Marshall, Chapter 13 Trustee: courtdocs@chi13.com

To the following persons or entities who have been served via U.S. Mail: See attached list.

PLEASE TAKE NOTICE that on **April 26, 2021**, at **1:30 PM**, I will appear before the Honorable Judge **CLEARY**, or any judge sitting in that judge's place, and present the **Motion to Modify Chapter 13 Plan**, a copy of which is attached.

This motion will be presented and heard electronically using Zoom for Government. No personal appearance in court is necessary or permitted. To appear and be heard on the motion, you must do the following:

To appear by video, use this link: <https://www.zoomgov.com/>. Then enter the meeting ID and password.

To appear by telephone, call Zoom for Government at 1-669-254-5252 or 1-646-828- 7666. Then enter the meeting ID and password.

Meeting ID and password. The meeting ID for this hearing is **161 122 6457** and the password is **Cleary644**. The meeting ID and password can also be found on the judge's page on the court's web site.

If you object to this motion and want it called on the present date above, you must file a Notice of Objection no later than two (2) business days before that date. If a Notice of Objection is timely filed, the motion will be called on the present date. If no Notice of Objection is timely filed, the court may grant the motion in advance without a hearing.

PROOF OF SERVICE

The undersigned certifies that copies of this Notice and attachments were served to the listed persons or entities, if service by mail was indicated above, by depositing same in the U.S. Mail at Wheeling, Illinois 60090, on or before March 26, 2021, at 5:30 p.m., with proper postage prepaid, unless a copy was provided electronically by the Bankruptcy Court.

DATE OF SERVICE: March 26, 2021

/s/ Robert C. Bansfield Jr.
Robert C. Bansfield Jr., A.R.D.C. #6329415

Attorney for the Debtor
DAVID M. SIEGEL & ASSOCIATES
790 Chaddick Drive
Wheeling, IL 60090
(847) 520-8100
rbansfield@davidmsiegel.com

To the following persons or entities who have been served via U.S. Mail:

Theresa Manney
3819 W. Lexington St.
Chicago, IL 60624

Illinois Tollway
PO Box 5544
Chicago, IL 60680

City of Chicago Department of Finance
c/o Arnold Scott Harris P.C.
111 W. Jackson Ste. 600
Chicago, IL 60604

U.S. Department of Education c/o Nelnet
121 South 13th Street, Suite 201
Lincoln, NE 68508

Internal Revenue Service
P.O. Box 7346
Philadelphia, PA 19101-7346

AmeriCash Loans, L.L.C. dba
AmeriCashLoans.net
P.O. Box 184
Des Plaines, IL 60016

T Mobile/T-Mobile USA Inc.
by American InfoSource LP as agent
4515 N Santa Fe Ave
Oklahoma City, OK 73118

Commonwealth Edison Company
ComEd Bankruptcy Department
1919 Swift Drive
Oakbrook Terrace, IL 60523

American First Finance
c/o Becket and Lee LLP
PO Box 3002
Malvern, PA 19355-0701

Santander Consumer USA
Bankruptcy Department
PO BOX 961245
Fort Worth, TX 75161-1245

Illinois Department of Revenue Bankruptcy
Section
PO Box 19035
Springfield, IL 62794-9035

Premier Bankcard, LLC
Jefferson Capital Systems LLC Assignee
Po Box 7999
Saint Cloud, MN 56302-9617

Sprint Corp.
Attn: Bankruptcy Dept.
PO Box 7949
Overland Park, KS 66207-0949

LVNV Funding, LLC its successors and assigns as assignee of MHC Receivables, LLC and FNBMLLC
Resurgent Capital Services
PO Box 10587
Greenville, SC 29603-0587

Midland Credit Management, Inc. as agent for Midland Funding, LLC
PO Box 2011
Warren, MI 48090

Wollemi Acquisitions, LLC
c/o AIS Portfolio Service
4515 N Santa Fe Ave. Dept. APS
Oklahoma City, OK 73118

Portfolio Recovery Associates, LLC
Successor to Capital One Bank (USA),N.A.
PO Box 41067
Norfolk, VA 23541

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In Re:) **18-14975**
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THERESA MANNEY,) **Chapter 13**
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Debtor.) **Hon. Judge: CLEARY**

MOTION TO MODIFY CHAPTER 13 PLAN

NOW COMES the Debtor, **Theresa Manney**, by and through her attorneys, David M. Siegel & Assoc., LLC, to present this Motion, and in support thereof states as follows:

- 1) Jurisdiction is proper and venue is fixed in this Court with respect to these parties.
- 2) On May 23, 2018, the Debtor filed a voluntary petition for relief pursuant to Chapter 13 under Title 11 USC, and the Chapter 13 plan was confirmed on September 10, 2018. Marilyn O. Marshall was appointed Trustee in this case.
- 3) The Debtor's Chapter 13 plan provides for payments of \$825.00 per month for 16 months and then \$880.00 per month for 44 months, with payments to the General Unsecured Creditors of at least 10% of their allowed claims.
- 4) Due to the ongoing pandemic, Debtor was temporarily furloughed from her job multiple times in the past year.
- 5) This has caused the Debtor to default in her plan payments.
- 6) Debtor cannot cure the current plan payment default but she has resumed making her monthly plan payments.
- 7) The Debtor proposes to modify her Chapter 13 plan pursuant to 11 USC §1329 to defer her existing default until the end of her plan.

- 8) The Debtor further proposes to modify her Chapter 13 plan pursuant to the recently amended 11 USC §1329 on March 27, 2020, under the Coronavirus Air, Relief and Economic Security Act (CARES Act), to allow her bankruptcy plan term to run 68 months.
- 9) Deferring the default will not cause the confirmed Chapter 13 plan to run longer than 68 months and will continue to pay General, Unsecured Creditors at least 10% of their allowed claims.
- 10) Debtor makes this proposal in good faith and with the intention of completing her Chapter 13 plan.
- 11) Debtor requests the above relief without any intent to defraud her creditors.

WHEREFORE, the Debtor, **Theresa Manney**, prays that this Honorable Court enter an Order to Modify the Chapter 13 Plan and for other such relief as the Court deems fair and proper.

Respectfully Submitted,

/s/ Robert C. Bansfield Jr.
Robert C. Bansfield Jr., A.R.D.C. #6329415
Attorney for the Debtor

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